

**Vanderburgh County  
Drainage Board  
July 23, 2001**

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The Vanderburgh County Drainage Board met in session this 23<sup>rd</sup> day of July, 2001, at 6:55 p.m. in Room 307 of the Civic Center Complex with President Fanello presiding.

**Call to Order**

President Fanello: Call to order July 23<sup>rd</sup> Vanderburgh County Drainage Board meeting.

**Approval of Minutes**

President Fanello: I need a motion to approve the minutes of the previous meeting.

Commissioner Mourdock: So moved.

President Fanello: Second and so ordered.

**Old Business**

President Fanello: Old Business. Do you want to wait for Surveyor here to get?--

Commissioner Mourdock: Before the Surveyor comes up for his part of the meeting, the Surveyor works as our technical advisor for the Drainage Board. If you wish to speak to the Drainage Board, you need to come to the microphone, please state your name and address. All of our minutes we take down verbatim, so we need that information.

President Fanello: I don't really have anything.

Bill Jeffers: My name is Bill Jeffers, Vanderburgh County Surveyor. Your first order of business tonight is approval of the previous meetings minutes, June 25, 2001.

Commissioner Mourdock: We did that already.

Bill Jeffers: Okay. Under Old Business, I don't have any Old Business unless the board members individually may have.

**New Business**

Bill Jeffers: Okay, under New Business, um, is the Joint Drainage Board proposed, and it would be composed of Warrick County Drainage Board and Vanderburgh County Drainage Board. You'll find that agenda on your second page of the handout. On the third page you will find a noti...uh, a script. Following the script that I will be reading into the minutes, is the notice of this hearing sent by the Vanderburgh County Surveyor to the Chairman of the Warrick County Drainage Board and the Chairman of the Vanderburgh County Drainage Board announcing this meeting and it's purpose. Next page is a service list of those persons that received this notification and other information by mail. That's followed by copies of pages of Indiana State Code enabling this hearing. At the bottom of the first page of that copy, please notice the cause for the notice to be sent, and on the

following page some yellow lined passages out of the Code that I will be referring to.

**Organization of Joint Warrick-Vanderburgh Drainage Board**

So, on that agenda your first item of business is the organization of the Joint Board which should be composed of two members from Warrick County Drainage Board and two members from Vanderburgh County Drainage Board, and one member from an unaffected county.

Commissioner Mourdock: Do I understand, Bill, that with Commissioner Jack Pike and Commissioner Don Williams here tonight from Vanderburgh, or from Warrick County that they are the assigned members from Warrick County?

Bill Jeffers: If they so choose. Then they could seat themselves up there if you would like to conduct the rest of this meeting. You could just form the board from those four persons.

Commissioner Mourdock: Yeah, okay.

Bill Jeffers: At a later date, I would suppose, it doesn't say that you have to have the fifth member in place to hold this meeting. Is that assumed by this statute, or...that would be in the case that there would be a tie vote.

Commissioner Mourdock: Right. It also begs the question from Vanderburgh County, yes, there are two members here, but are these the two members from this board that will serve on the joint board?

Bill Jeffers: If the Chairman--

Commissioner Mourdock: That's fine with me.

Bill Jeffers: --appoints these two.

Commissioner Mourdock: Okay.

President Fanello: (Inaudible. Mike not on.) If it will speed the process, that's fine with me.

Commissioner Mourdock: Sure. Okay.

Bill Jeffers: The purpose of...the purpose of the board is one major project that...which the funding for which would come from, uh, monies allocated by the various state legislators for the desnagging of Pigeon Creek from Heim Road to Greenriver Road to cause better drainage of agricultural lands and properties owned by the Commissioners such as roadways and bridges. There is another item I will be bringing up in a moment, but that is the primary purpose for forming a Joint Drainage Board. We have monies in hand. The members of the Warrick County Drainage Board will compose the lead agency because the length of the drain in their county is greater than the stretch of the drain in our county.

Commissioner Mourdock: Yeah.

Bill Jeffers: Their Surveyor, their County Surveyor, Ms. Karan Hargrave-Barnhill, will serve as the ex-officio member by virtue of the greater stretch of drain being in Warrick County.

Commissioner Mourdock: Okay. With the next two items to be discussing action items, I would invite Commissioner Williams and Commissioner Pike, if you would come up here and join us. That way whatever comments and votes you make, you get 'em recorded, and we will, obviously, make all of this available to you.

Bill Jeffers: I imagine you can take the same procedures you do for forming your Drainage Board at the beginning of each year.

Commissioner Mourdock: Okay.

President Fanello: I think—

Unidentified: (Inaudible. Not at mike.)

President Fanello: I think...do we need a formal motion to appoint ourselves, so.

Commissioner Mourdock: Yeah, okay. I would move from the Vanderburgh County Drainage Board that the members for the Joint Board be Commissioner Fanello and Commissioner Mourdock.

President Fanello: Second and so ordered.

Commissioner Mourdock: Okay.

Bill Jeffers: As the joint board with it's lead members being the Warrick County Commissioners and Drainage Board members, they I'm sure have brought with them a copy of the report that was prepared by an engineer for DNR to show the need and the purpose for this project. After the members conclude their business relative to this Pigeon Creek desnagging process, or project, the County Surveyor, the Vanderburgh County Surveyor wants to open a brief discussion about some improvements to Williams Ditch adjacent to I-164, uh, as a lesser project that I would like to discuss.

Commissioner Mourdock: A lesser project before this same Joint Board?

Bill Jeffers: Yes, sir.

Commissioner Mourdock: The order of business here would seem to be then, and let me clarify the technical representative from Warrick County, is there one present? Okay. Okay. Do you wish to make part of the presentation as far as this particular report we have, the Pigeon Creek channel review? Or should we just go ahead and discuss it? Is there any part of the presentation that you would like to make to us?

Karan Hargrave-Barnhill: (Inaudible. Not at mike.)

Commissioner Mourdock: Okay. Alright. Oh, okay. Jack or Don any comments you have on this as far as what is being proposed here for the, uh—

Warrick Commissioner Williams: The proposal is from Heim Road in Warrick County to the Vanderburgh County line with, uh, Pigeon Creek crossing into, uh, Vanderburgh County, and out of it and back into it, two different occasions. There is...the total mileage, I'm not sure. Do you know what the total mileage is, Karan?

Karan Hargrave-Barnhill: (Inaudible. Not at mike.)

Warrick Commissioner Williams: On that project? I'm not sure what the mileage is. I know that there is...the worst part of it is about three miles long. I know that there is \$55,000 that's been dedicated to the project. I understand that what we need to do tonight is simply form our committee and, uh, appoint a fifth member from a county who has no part of the ditch running through it.

Commissioner Mourdock: Do you have a suggestion as to who that person should be?

Warrick Commissioner Williams: I would like to recommend Richard Paul, who is the Commissioner from Gibson County, which is just north of us.

Commissioner Mourdock: Okay.

Warrick Commissioner Williams: He has agreed to sit on that committee as a , I guess, a peacemaker should there be a two, two vote. That's the only way I would know to put that.

Commissioner Mourdock: Yeah, okay.

Warrick Commissioner Williams: Usually this is, I don't know if Vanderburgh County has other agreements like this or not, but we have them with Spencer County and with other counties and it's pretty informal and I have never known any negative issues to come up in these. It's simply getting business done in the quickest method possible. So, I would recommend to this body that we appoint Richard Paul as the fifth member from Gibson County. He is a Gibson County Commissioner.

Commissioner Mourdock: Okay. That being a motion, I will make a second to that motion.

President Fanello: Second, or we have a motion and a second. So ordered.

Warrick Commissioner Williams: Okay.

Commissioner Mourdock: Okay.

Commissioner Mourdock: As far as the, uh, well, in doing this procedurally, it is my understanding now that we need to do something jointly, formalize this, send it off to the state to help with the funding. Is that accurate?

Bill Jeffers: Yeah, I would think that you might just want to, uh, make a motion, take an action to, uh, pass this to that portion of your board from Warrick County to carry it forward. The fellow who compiled the report also offered his services in boiler plate specifications for the project. Let them finish it up over in Warrick County. Bid it out over there in accordance with whatever guidelines are required, and supervise the job, and consult with us whenever they need our assistance. When they come

in and out of Vanderburgh County access from our public roads—

Commissioner Mourdock: Okay.

Bill Jeffers: —Lost Lake Drive, etcetera. Our county line road is their county line road. They will be accessing it there and, of course, they will be accessing it from Greenriver and along our banks on both sides. You know, it's just a cooperative effort, basically—

Commissioner Mourdock: Sure.

Bill Jeffers: —between the two counties to get a necessary job done.

Commissioner Mourdock: Okay.

Bill Jeffers: Benefitting from the \$55,000 that the state legislators set aside for this job.

Commissioner Mourdock: Okay. It strikes me as an organizational meeting, the thing we probably should have done first, since this is a bi-county board, is elect a President of this board. Since the majority of the project is in Warrick County, I'll move that, uh, Don Williams be the President of the Joint Drainage Board.

Warrick Commissioner Pike: Second.

Commissioner Mourdock: Okay.

President Fanello: All those in favor. Aye.

Commissioner Mourdock: Aye.

Warrick Commissioner Pike: Aye.

Commissioner Mourdock: So you get to do the all in favors and say ayes, now.

Warrick Commissioner Williams: So one nay vote won't count, right?

Commissioner Mourdock: No, no. Okay. But that way at least anyway anything that deals with the state representatives, you will be the main guy to contact.

Warrick Commissioner Williams: Okay. Any other business that we need to take care of tonight that you can think of? I can't think of anything. Basically, the money...we need to send some type of a formal letter, I guess, to the state letting them know. Have you been working on this, or?

Bill Jeffers: I was only at one meeting with Ms. Fanello, uh, and it was clearly explained to me that it was all pretty much cut and dried. All you needed was your specifications, and you—

Warrick Commissioner Williams: Cooperation in getting the bids.

Bill Jeffers: —guys go ahead.

Warrick Commissioner Pike: Basically, somebody to hold the money, and with the joint board now, we have somebody to hold the money. The Warrick County Drainage Board.

Bill Jeffers: Correct.

Warrick Commissioner Pike: (Inaudible. Mike not on and someone coughing.) facilitate getting the desnagging.

Bill Jeffers: Correct. Now, of course, we hope in the future that it might stretch farther into Vanderburgh County so we can address the same type of conditions on down to Oak Hill Road, and then we would be calling on them for their support in that.

Karan Hargrave-Barnhill: I was also at the same meeting that Ms. Fanello was at, and the way I understand it the funds are going to be sent directly to Warrick County, deposited into our Drainage Board Fund, the Joint Drainage Board Fund. They will be dispersed through us, um, with Mr. Williams being in charge since he is the President of signing the claims to make sure that it is done properly.

Commissioner Mourdock: Okay and just for the record, for our minutes, would you state your name?

Karan Hargrave-Barnhill: Karan Hargrave-Barnhill, Warrick County Surveyor.

Commissioner Mourdock: Thank you.

Bill Jeffers: I have the same understanding from that meeting.

Commissioner Mourdock: Okay. Well, I will formally move then that Don and Karan work together to draft the letter and correspondence necessary to go to the state to see that we get this funding.

President Fanello: Second.

Bill Jeffers: The only other item of business that I would like to bring before the Joint Board is a proposed project for Williams Ditch, that is the name of it in Warrick County. It has been referred to as Weinsheimer Ditch in Vanderburgh County. It runs right along the county line on the east side approximately between Lincoln Avenue due north behind the apartments up to Eagle Crest commercial development and then the, uh, INDOT realigned it under the new I-164 road bed and diagonally across the property behind Crossroads Christian Church and the new medical development, under Lloyd Expressway and then meandering through Warrick County under Eppworth Road and on to the northeast. An accumulation of silt has occurred in the twin corrugated pipes carrying Williams Ditch under I-164, immediately south of the Lloyd Expressway. This accumulation of silt is obstructing the proper flow of water drainage from Vanderburgh County and into Warrick County. This was brought to my attention by Mr. John Dunn's attorney, and asked if we could do something to remedy. Indiana Department...I called Indiana Department of Transportation and they said they would clean out the pipes only after Williams Ditch east of I-164 in Warrick County is cleared of some young willow trees, silt bars and generally regraded to make it conform to the INDOT plans used to realign Williams Ditch during INDOT's reconstruction, uh, to facilitate the building

of I-164 and the Lloyd Expressway. Since the agenda for this meeting was submitted to you, we have determined approximately 1,400' of ditch should be included in this project. The project we are asking the Joint Board to implement includes minor cleaning of approximately 250' of ditch in Vanderburgh County entering the pipes, and then approximately 1,150' of ditch in Warrick County exiting the pipes. Our preliminary estimate of the costs for sediment and small tree removal and minor repairs to the ditch banks is \$1,000 in Vanderburgh County, and \$6,900 in Warrick County. We hope the bids come in lower than that, but the Vanderburgh County, or excuse me, Vanderburgh County currently holds approximately \$8,925 in account 2340-0042. This money is collected by assessment from the City of Evansville for their water draining into Williams Ditch and then into Warrick County. We have not transferred this money to Warrick County previously, because of lack of action by the previous Surveyor. Has nothing to do with the current administration of either the Surveyor's Office or the current Drainage Board. If the Joint Board will act to initiate a project, or at least show their willingness to initiate a project to clear and repair approximately 1,400' of Williams Ditch as described above, the Vanderburgh County Surveyor will recommend during the Vanderburgh County Drainage Board's meeting, immediately following this meeting, that Vanderburgh County allow \$8,000 to be transferred from account number 2340-0042 to the appropriate fund in Warrick County to complete the project. That would leave us with an excess of \$900 and future assessments for, uh, similar purposes in the future. So, what I was...what I'm basically asking, just the board to at least show some willingness to initiate a project. The major problem we are having in Vanderburgh County is that the large lake in the Dunn development known as Eagle Crest, the flat gate is impeded from operating properly because water is being backed up by this silt in, inside the pipes owned by INDOT.

Commissioner Mourdock: And—

Bill Jeffers: INDOT claims that the reason that is happening is the condition of the ditch in Warrick County. I feel that it is just a result of siltation that is caused by recent development in both counties. I'm not pointing fingers. The fact that when it goes through the pipes and goes across this stretch behind Crossroads Church and the medical development, that it slows down sufficiently to allow the silt to deposit itself in those twin pipes, but INDOT has indicated that they are not willing to clean out those pipes until the condition of the ditch is improved in Warrick County.

Commissioner Mourdock: And absolutely, positively, for certain if we do this on either end of the pipes, they will get in there and clean out the pipes?

Bill Jeffers: That is what I've been assured of.

Commissioner Mourdock: Okay.

Bill Jeffers: I've also been assured they will not do anything until we do something first.

Commissioner Mourdock: Right.

President Fanello: Did they put that in writing?

Bill Jeffers: No, they haven't put that in writing just yet. They said they cleaned them out one time, and even cleaned some of the ditch in Warrick County and it occurred again, so they decided they wouldn't do anything until the conditions improved.

Commissioner Mourdock: Okay. Our previous meeting we had several cynical—

President Fanello: Uh-huh.

Commissioner Mourdock: —comments from a number of projects where it seems tonight is jump on the state of Indiana night for things that they should have done.

Bill Jeffers: I could provide more cynical comment, but I don't want to belabor the point.

Commissioner Mourdock: Yeah, okay. Well, I move that the Joint Board act as recommended by Mr. Jeffers to clean out both sides of I-164 in both Warrick and Vanderburgh County so that we can, hopefully, influence the state to clean out the pipes beneath 164.

President Fanello: Second.

Warrick Commissioner Williams: I will second that, and I have a question. Karan, that's what we call Howard Ditch, isn't it? Okay.

Karan Hargrave-Barnhill: It's Howard Williams Ditch.

Warrick Commissioner Williams: Howard Williams Ditch? Okay. It used to be just Howard. I wanted to make sure that was right. I have a motion and a second, all in favor?

Commissioner Mourdock: Aye.

Warrick Commissioner Pike: Aye.

Warrick Commissioner Williams: Alright. We'll take care of that then. Is that it? Any other business for us? Then I, as your newly elected President, make a motion that this Joint Board be, uh, adjourned.

Commissioner Mourdock: Second.

Warrick Commissioner Williams: Thank you all. Appreciate your cooperation.

President Fanello: Thank you.

Commissioner Mourdock: Madelyn, if you would, be sure to send a transcript of the minutes over to these folks.

Madelyn Grayson: Sure will.

President Fanello: Now, we will conclude our regular Vanderburgh County Drainage Board meeting...reconvene. See ya. Thank you. Thanks.